

**Enrolled Minutes of the Third Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular (Rescheduled Meeting)
Monday, January 16, 2012**

Study Session. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular (rescheduled) meeting on Monday, January 16, 2012 at 6:40 p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Bernie Zemen, Dan Vassar, and Konnie Kuiper were present. Councilor Brian Novak was absent. The Deputy Clerk-Treasurer, Katy Dowling was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the imminent agenda of the regular (rescheduled) meeting.

The study session ended at 6:59 O'clock p.m.

Regular (rescheduled) meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, January 16, 2012 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Bernie Zemen presided and the Town Deputy Clerk-Treasurer, Katy Dowling, was present to memorialize the proceedings. The meeting was opened with Councilor Dan Vassar reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Mark Herak, Bernie Zemen, Dan Vassar, and Konnie Kuiper. Councilor Brian Novak was absent. The Deputy Clerk-Treasurer, Katy Dowling was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kenneth J. Mika, Building Commissioner and Cecile Petro, Redevelopment Director were present.

Also Present: Ed Dabrowski, Contract IT Coordinator, Dennis Adams, Town Board of Metropolitan Police Commissioners.

Staff Reports: The Council received the following reports as information for the record:

• Building & Inspection Report for December 2011

Permit Type	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	7	0	7	\$790,564.00	\$9,809.50
Signs:	6	0	6	\$16,282.00	\$1,681.00
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	1	1	0	\$94,178.00	\$1,204.00
Residential Remodeling:	39	39	0	\$253,213.00	\$4,614.50
Garages:	2	2	0	\$18,000.00	\$589.00
Sheds:	2	2	0	\$12,900.00	\$472.00
Decks & Porches:	1	1	0	\$4,500.00	\$214.00
Fences	6	6	0	\$11,426.00	\$526.00

Swimming pools:	0	0	0		\$0.00
Drain Tile	2	2	0	\$31,913.00	\$487.00
/Waterproofing					
Misc.	1	1	0	\$110,001.00	\$1,369.00
Total:	67	54	13	\$1,342,977.00	\$20,966.00
Electrical Permits	13	11	2		\$1,201.50
Mechanical Permits	9	9	0		\$746.50
Plumbing Permits	4	3	1		\$483.50
Water Meters	2	1	1		\$880.00
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
Total Plumbing Permits:	6	4	2		\$1,363.50

December Code Enforcement:

Warnings: 146

Citations: 12

December Inspections:

Building: 35 Electrical: 38 Plumbing: 10 Electrical Exams: 0

• **Fire Department Report for December 2011**

	Month	Y.T.D.
General Alarms	18	80
Still Alarms	9	44
Paid still alarms	2	27
Total:	29	

• **Workplace Safety Report for December 2011**

There was one incident in December. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2011	Total in 2010	Restricted Days 2011	Lost Workdays This Year	Restricted Days Last Year (2010)	Lost Workdays Last Year (2010)
Parks	0	0	2	0	0	25	3
Fire	1	1	2	1	0	0	0
Police	0	3	9	0	0	39	23
Street	0	5	1	2	0	0	0
Water & Sewer	0	5	1	4	77	88	0
Maint.	0	1	1	0	0	68	0
Other	0	2	2	0	0	0	0
TOTALS	1	17	18	7	77	220	26

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Appointments:

• **Statutory Boards and Commissions**

Executive Appointments made by Town Council President

Legislative or Fiscal Body Appointments made by Town Council

Executive Appointments:

1. **Waterworks Board of Directors:** (2) appointments to be made by Town Council President (*Note: Currently serving Jim Norris (R) and Rachel Delaney (R).*

The Town Council President announced the re-appointment of Rachel Delaney (R) to the Waterworks Board of Directors.

2. **Main Street Bureau Board:** (4) appointments to be made by the Town Council President. **Term: Co-extensive with terms of constituent agency.** (*Note: Cindy Rivera from Chamber of Commerce; George Vande Werken from EDC; Bernie Zemen from Town Council; and vacant, Downtown Association Representative).*

The Town Council President announced his appointment of Darlene Baron to the Main Street Bureau Board. (*Please note: This appointment should have been taken up as a legislative appointment. The matter will be placed before the Town Council at the January 30, 2012 meeting).*

Legislative Appointments:

1. **Municipal Plan Commission** (3) appointments to be made by Town Council. (*Note: Maybe Elected or Appointed Officials or employees of Town. Currently one vacancy. Others continue to serve unless the legislative body acts to change. Currently: Don Haynes (employee) and Dan Vassar (Elected Official); vacancy from Dan Grimmer resignation*)

Councilor Vassar made a motion to appoint Councilor Zemen as his replacement to the Municipal Plan Commission. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. Councilor Zemen was appointed to the Municipal Plan Commission.

Unfinished Business and General Orders:

1. **Resolution No. 2012-02:** A Resolution Authorizing Temporary Interfund Loan or Transfer to the Redevelopment Bond and Interest (EXEMPT) Fund, Pursuant to IC 36-1-8-4.

Councilor Herak made a motion for passage and adoption of Resolution No. 2012-02. The motion was seconded by Councilor Kuiper. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND RESOLUTION NO. 2012-02

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Redevelopment Non-Exempt Bond and Interest Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Redevelopment Capital Fund** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of \$53,000.00 be borrowed for the **Redevelopment Non-Exempt Bond and Interest Fund** with the amount of \$53,000.00 to be loaned by the **Redevelopment Capital Fund**;

Section 2. That said loan in the amount of \$53,000.00 be repaid to the **Redevelopment Capital Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Redevelopment Non-Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2012, subject to IC 36-1-8-4(b).

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 16th day January 2012. Having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President IC 36-5-2-10

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Resolution No. 2012-03:** A Resolution Authorizing Temporary Interfund Loan or Transfer to the Corporation Bond and Interest (EXEMPT) Fund, Pursuant to IC 36-1-8-4.

Councilor Vassar made a motion for passage and adoption of Resolution No. 2012-03. The motion was seconded by Councilor Kuiper. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND
RESOLUTION NO. 2012-03

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Corporation Exempt Bond and Interest Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Rainy Day Fund** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of \$63,000.00 be borrowed for the **Corporation Exempt Bond and Interest Fund** with the amount of \$63,000.00 to be loaned by the **Rainy Day Fund**;

Section 2. That said loan in the amount of \$63,000.00 be repaid to the **Rainy Day Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Corporation Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2012, subject to IC 36-1-8-4(b).

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 16th day January 2012. Having been passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President IC 36-5-2-10

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Resolution No. 2012-04:** A Resolution Authorizing Temporary Interfund Loan or Transfer to the Corporation Bond and Interest Fund, Pursuant to IC 36-1-8-4.

Councilor Vassar made a motion for passage and adoption of Resolution No. 2012-04. The motion was seconded by Councilor Kuiper. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND
RESOLUTION NO. 2012-04

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Corporation Non-Exempt Bond and Interest Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Rainy Day Fund** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of \$294,500.00 be borrowed for the **Corporation Non-Exempt Bond and Interest Fund** with the amount of \$294,500.00 to be loaned by the **Rainy Day Fund**;

Section 2. That said loan in the amount of **\$294,500.00** be repaid to the **Rainy Day Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Corporation Non-Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2012, subject to IC 36-1-8-4(b).

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 16th day January 2012. Having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President IC 36-5-2-10

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

4. Resolution No. 2012-05: A Resolution Authorizing Temporary Interfund Loan or Transfer to the Park District (EXEMPT) Bond and Interest Fund, Pursuant to IC 36-1-8-4.

Councilor Vassar made a motion for passage and adoption of Resolution No. 2012-05. The motion was seconded by Councilor Kuiper. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN of HIGHLAND
RESOLUTION NO. 2012-05**

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4

Whereas, The Clerk-Treasurer has advised the Town Council that cash balance in the **Park Exempt Bond and Interest Fund**, is not sufficient to meet its regular operating expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the fund;

Whereas, The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the **Municipal Cumulative Capital Development Fund** that can be temporarily transferred;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of **\$441,500.00** be borrowed for the **Park Exempt Bond and Interest Fund** with the amount of **\$441,500.00** to be loaned by the **Municipal Cumulative Capital Development Fund**;

Section 2. That said loan in the amount of **\$441,500.00** be repaid to the **Municipal Cumulative Capital Development Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Park Exempt Bond and Interest Fund** with such loan to be repaid no later than December 31, 2012, subject to IC 36-1-8-4(b).

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 16th day January 2012. Having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President IC 36-5-2-10

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

5. Proposed Ordinance No. 1503: An Ordinance Designating An Economic Development Target Area Within The Boundary Of An Economic Revitalization Area Established By Resolution 2011-54 Adopted December 12, 2011 And Confirmed By Resolution 2012-01 Adopted January 9, 2012 That Is Located At 3940 & 3950 Ridge Road To Enable Property Tax Abatement For Retail Uses.

Councilor Herak introduced and moved for the consideration at the same meeting of introduction of Ordinance No. 1503. Councilor Vassar seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved for the passage and adoption at the same meeting of introduction of Ordinance No. 1503. Councilor Vassar seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The Ordinance was adopted at the same meeting of its introduction.

TOWN OF HIGHLAND, INDIANA
ORDINANCE NO. 1503

AN ORDINANCE DESIGNATING AN ECONOMIC DEVELOPMENT TARGET AREA WITHIN THE BOUNDARY OF AN ECONOMIC REVITALIZATION AREA ESTABLISHED BY RESOLUTION 2011-54 ADOPTED DECEMBER 12, 2011 AND CONFIRMED BY RESOLUTION 2012-01 ADOPTED JANUARY 9, 2012 THAT IS LOCATED AT 3940 & 3950 RIDGE ROAD TO ENABLE PROPERTY TAX ABATEMENT FOR RETAIL USES

WHEREAS, Indiana Code 6-1.1-12.1; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities in "Economic Revitalization Areas" as those terms are defined in the Act, and

WHEREAS, On December 12, 2011, the Highland Town Council adopted **Resolution No. 2011-54** designating an Economic Development Revitalization Area at 3940 & 3950 Ridge Road and confirmed with **Resolution No. 2012-01** approved on January 9, 2012 ; and

WHEREAS, IC 6-1.1-12.1-3(e) provides that any facility the primary purpose of which is retail food or beverage service; automobile sales or service; or other retail is not eligible for property tax abatement unless the facility is located in an Economic Development Target Area; and

WHEREAS, The Highland Redevelopment Commission desires to have the Real Estate located at 3940 & 3950 Ridge Road designated as an Economic Development Target Area for the purpose of offering property tax savings for retail uses; and

WHEREAS, IC 6-1.1-12.1-7(a)(1) enables the Town Council to designate an Economic Development Target Area by ordinance after a favorable recommendation by the Economic Development Commission in a specific geographic territory that *"has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property"*; and

WHEREAS, IC 6-1.1-12.1-7(b) enables the Town Council to designate up to 15% of the total geographic territory of the town to be in Economic Development Target Areas;

WHEREAS, At a meeting held December 6, 2011, the Highland Economic Development Commission determined the area proposed for an Economic Development Target Area within the Economic Revitalization Area that is located at 3940 & 3950 Ridge Road is substantially less than 15% of the total geographic territory of the town; and

WHEREAS, At the meeting held December 6, 2011, the Highland Economic Development Commission unanimously recommended designation of an Economic Development Target Area located at 3940 & 3950 Ridge Road to enable property tax abatement for retail uses; and

NOW THEREFORE, IT IS FOUND, DETERMINED AND ORDAINED, by the Town Council of the Town of Highland as follows:

Section 1. That the foregoing findings in the preamble to this ordinance are true, all information required to be submitted has been submitted in proper form and all requirements for approval of property tax abatement for retail uses located at 3940 & 3950 Ridge Road have been met.

Section 2. That the real estate within the Economic Revitalization Area established by **Resolution No. 2011-54** adopted December 12, 2011, and confirmed by **Resolution No. 2012-01** adopted January 9, 2012 that is located at 3940 & 3950 Ridge Road as described in **Exhibit A** attached and incorporated herein by reference, is found to be, declared and designated an Economic Development Target Area.

Section 3. That a property owner within said Economic Development Target Area who seeks tax abatement must submit an application of a form approved by the Redevelopment Commission and a "Statement of Benefits" (Form SB-1) prescribed by the Indiana Department of Local Government Finance before installing new equipment or before the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. The application fee shall be \$250.00 to defray actual processing and administrative costs.

Section 4. That in the consideration of all abatement applications for retail uses, the Town Council will hold a public hearing before making its decision whether to approve a deduction. The Town Council may approve a deduction period up to ten (10) years.

Section 5. That the Clerk-Treasurer is authorized and directed to file a copy of this ordinance, including a description of the real estate as contained in **Exhibit A**, with the Lake County Auditor and the Department of Local Government Finance.

Introduced and Filed on the 16th day of January 2012. Consideration on same day or at same meeting of introduction

sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 16th Day of January 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

6. **Resolution No. 2012-06:** A Resolution Fixing Monday, January 30, 2012 As The Date For A Public Hearing On An Application For Property Tax Abatement Related To The Development Of A Culver's Restaurant Located At 3940 & 3950 Ridge Road.

Councilor Kuiper made a motion for passage and adoption of Resolution No. 2012-06. The motion was seconded by Councilor Vassar. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND, INDIANA
RESOLUTION NO. 2012-06**

**A RESOLUTION FIXING MONDAY, JANUARY 30, 2012 AS THE DATE FOR A PUBLIC HEARING ON
AN APPLICATION FOR PROPERTY TAX ABATEMENT RELATED TO THE DEVELOPMENT OF A
CULVER'S RESTAURANT LOCATED AT 3940 & 3950 RIDGE ROAD**

WHEREAS, Indiana Code 6-1.1-12.1 et seq.; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities in "Economic Revitalization Areas" as those terms are defined in the Act, and

WHEREAS, Property tax abatement, if approved, is applied as a deduction in the increase in assessed value that results from investment in new construction or rehabilitation of property; and

WHEREAS, On December 9, 2011, the Highland Town Council adopted **Resolution No. 2011-54** designating an Economic Development Revitalization Area (ERA) and on January 9, 2012 with **Resolution No. 2012-01** confirmed an ERA at 3940 & 3950 Ridge Road (**Exhibit A-Legal Description**); and

WHEREAS, An application for property tax abatement for the development of a Culver's Restaurant (the "Project") to be located on premises legally described as Lots #35 and #36 of the N.E. ¼ Sec. 27-36-9 #1 in the Town of Highland, Lake County, Indiana a/k/a 3940 & 3950 Ridge Road (the "Real Estate" legally described at Exhibit A) has been received from Mr. John Terpstra d/b/a High Culv, LLC a copy of which is attached and incorporated herein by reference (**Exhibit B-Tax Abatement Application**); and

WHEREAS, Said application proposes a \$817,000.00 estimated assessed value improvement of the property, for a net increase value of \$1,287,600.00; that would bring thirty five (35) jobs to Highland with an estimated \$360,000.00 annual payroll; and that may not proceed but for approval of tax abatement by the Town Council; and

WHEREAS, \$470,600.00 is the most recent assessed value of the property that is the subject of this resolution, and

WHEREAS, \$1,287,600.00 is the estimated assessed value of the property upon completion of the Project; and

WHEREAS, The Real Estate is located within an Economic Revitalization Area within the Town of Highland; and

WHEREAS, At a meeting held December 6, 2011, the Highland Economic Development Commission unanimously recommended designation of an Economic Development Target Area located at 3940 & 3950 Ridge Road to enable property tax abatement for retail uses; and

WHEREAS, The Act empowers the Town Council to approve a deduction as percentage of the increase in assessed value that results from investments in new construction or rehabilitation of property by following a procedure hearing and confirmation of a Preliminary Resolution, provision of a public notice at least ten days before the date of a public hearing, conducting a public hearing and confirmation of a Final Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Highland as follows:

Section 1. The Highland Town Council will consider an application for property tax abatement for the development of a building and improvements on the Real Estate which are the subject of this resolution after a public hearing and upon adoption of a Final Resolution confirming this Preliminary Resolution.

Section 2. The Final Resolution shall limit the amount of deduction applicable for redevelopment of said Real Estate for a period of time not to exceed **ten** calendar years for net improvement costs of \$1,363,122.00, with a total assessed value of \$1,287,600.00.

Section 3. Pursuant to enabling authority provided at IC 6-1.1-12.1-2(h)(6), as a condition of approval for the deduction in assessed value, the applicant shall contribute \$9,500.00 to the Town of Highland at closing from loans proceeds secured for construction of the Project.

Section 4. The Town Council hereby fixes **7:00 PM, Monday, January 30, 2012** in the plenary Council Chambers, Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, as the time and place for a public hearing for receiving testimony, remonstrances and objections from persons interested in or affected by the proposed property tax abatement and directs the publication of notice of said hearing in accordance with the requirements of applicable law. After the public hearing, the Town Council will consider a Final Resolution that would grant tax abatement consistent with conditions described in this Preliminary Resolution.

DULY RESOLVED and ADOPTED this 16th Day of January 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

- 7. Resolution No. 2012-07:** A Resolution Fixing Monday, January 30, 2012 As The Time For A Public Hearing For Receiving Remonstrances And Objections From Persons Interested In Or Affected By The Designation Of An Economic Revitalization (Property Tax Abatement) Area Co-Terminus with the Redevelopment Area II for Commercial Corridors.

Councilor Vassar made a motion for passage and adoption of Resolution No. 2012-07. The motion was seconded by Councilor Kuiper. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND, INDIANA
RESOLUTION No. 2012-07**

A RESOLUTION FIXING MONDAY, JANUARY 30 2012 AS THE TIME FOR A PUBLIC HEARING FOR RECEIVING REMONSTRANCES AND OBJECTIONS FROM PERSONS INTERESTED IN OR AFFECTED BY THE DESIGNATION OF AN ECONOMIC REVITALIZATION (PROPERTY TAX ABATEMENT) AREA

WHEREAS, Indiana Code 6-1.1-12.1; amended, (the "Act") allows a partial abatement of property taxes attributable to "Redevelopment" or "Rehabilitation" activities in "Economic Revitalization Areas" as those terms are defined in the Act, and

WHEREAS, The Act provides that such Economic Revitalization Areas are areas within the Town which have:

"...become undesirable for, or impossible of, normal development, and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property", and

WHEREAS, The Act empowers the Town Council to designate Economic Revitalization Areas within the Town by following a procedure hearing and confirmation of a Preliminary Resolution, provision of a public notice at least ten days before the date of a public hearing, conducting a public hearing and confirmation of a Final Resolution, and

WHEREAS, The Highland Redevelopment Commission desires to have the Real Estate located coterminous with the Redevelopment Area II for the Commercial Corridors (EXHIBIT I) designated as an *Economic Revitalization Area* for the purpose of offering property tax savings as an incentive to facilitate economic development and/or redevelopment within Redevelopment Area II; and

WHEREAS, The Highland Redevelopment Commission has provided a Report on Statement of Benefits to Redevelopment Area II (EXHIBIT II); and

WHEREAS, The Town Council has considered the following objectives in making a decision about Economic Revitalization Area designation:

Effective utilization of vacant urban land; rehabilitation and replacement of structures and facilities that are technologically, economically or energy obsolete located in areas where obsolescence may lead to a decline in employment and tax revenues; retention of existing jobs and creation of new jobs; and

WHEREAS, Implementation of the Economic Revitalization Area is intended to, in time, increase the property tax base of the Town of Highland, retain and create jobs and meet the Town's development objectives, and

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Highland as follows:

Section 1. The Highland Town Council will consider designating the Real Estate (EXHIBIT I) which is the subject of this Resolution as an Economic Revitalization Area as that term is defined in Indiana Code 6-1.1-12.1; as amended, (the "Act"). Final designation as an Economic Revitalization Area will occur only upon adoption of a Final Economic Revitalization Area Resolution confirming this Preliminary Resolution.

Section 2. The Final Resolution designating an Economic Revitalization Area may establish general standards to be used for evaluating applications for tax deduction that have a reasonable relationship to development objectives of the area and a fee for filing an application sufficient to defray actual processing and administrative costs. In addition, an Economic Development Fee not to exceed 15% of the tax savings over the course of the tax abatement, will be imposed on applicants.

Section 3. The Town Council hereby fixes 7:00 PM, Monday, January 30, 2012, in the Council Chambers, Highland Town Hall, 3333 Ridge Road, Highland, Indiana, as the time and place for a public hearing for receiving remonstrances and objections from persons interested in or affected by the designation of a Economic Revitalization Area and directs the publication of notice of said hearing in accordance with the requirements of applicable law. At this hearing, the Town Council will take action relative to this Preliminary Resolution and determine whether the Real Estate should be declared an Economic Revitalization Area.

DULY RESOLVED and ADOPTED this 16th Day of January 2012 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

- 8. Works Board Order No. 2012-01:** An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and COEX, Incorporated for Materials and Services – Concrete Work through December 31, 2012, all Pursuant to Indiana Code 5-22 *et Seq.* and §31.18 of the Highland Purchase Code.

Councilor Vassar made a motion for passage and adoption of Works Board Order No. 2012-01. The motion was seconded by Councilor Kuiper. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN of HIGHLAND
BOARD OF WORKS
ORDER of WORKS BOARD NO. 2012-01**

AN ORDER of the WORKS BOARD OFFERING, AUTHORIZING and APPROVING AN EXTENSION to the CONTRACT BETWEEN THE TOWN OF HIGHLAND AND COEX, INCORPORATED for MATERIALS and SERVICES – CONCRETE WORK through DECEMBER 31, 2012, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. and §31.18 of the HIGHLAND PURCHASE CODE

Whereas, The Town of Highland did receive bids on February 14, 2007 for Road Materials and Services, which included concrete work, pursuant to IC 5-22 *et seq.* and on March 26, 2007, the Town Council for the Town of Highland accepted and awarded a bid for several items of concrete work to COEX, Incorporated, as the lowest responsible and responsive bid; and

Whereas, In subsequent years from the bid award, the Town of Highland had annually offered COEX, Incorporated an extension of the contract for concrete work, at the same term and conditions of the initial contract, through December 31, 2011, which COEX, Incorporated had accepted; and

Whereas, COEX, Incorporated has expressed interest, through a letter dated December 5, 2011, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, Concrete Work;

Whereas, COEX, Incorporated has demonstrated professional competence and qualifications to perform the particular concrete work for the Town of Highland and it has been determined that extending the current contract will realize a cost and time savings for mutual benefit of the both parties; and

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to COEX, Incorporated, through December 31, 2012, for Road Materials and Services – Concrete work, under the original terms, conditions and prices as the original contract (1-year).

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana,

Section 1. That the Director of Public Works is hereby ordered to offer contract a extension to COEX, Inc. for Road Materials and Services – Concrete Work under the same terms, conditions, and prices for the period January 1, 2012 through December 31, 2012;

Section 2. That, if accepted, the Director of Public Works be authorized to execute the Contract Extension with his signature as attested thereto by the Clerk Treasurer.

Be it So Ordered

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 16th day of January, 2012 having passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

- 9. Works Board Order No. 2012-02: An Order Authorizing and Approving the First Change Order to the Construction Contract related to the Woodward Avenue Reconstruction Project, all Pursuant to I.C. 36-1-12-18.**

Councilor Vassar made a motion for passage and adoption of Works Board Order No. 2012-02. The motion was seconded by Councilor Kuiper. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**The Town of Highland
Order of the Works Board No. 2012-02**

An Order Authorizing and Approving the First Change Order to the Construction Contract related to the Woodward Avenue Reconstruction Project, all Pursuant to I.C. 36-1-12-18

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has heretofore authorized and approved a public works project for street reconstruction and other improvements in the public roadway of Woodward Avenue, with the project commonly known as the Woodward Avenue Reconstruction Project; and

Whereas, The Town Council has heretofore awarded a contract to Walsh & Kelly, Incorporated for the Project on August 8, 2011 in the amount of Six Hundred Sixty-nine Thousand Six Hundred Seventy-nine Dollars and 84/100 Cents (\$669,679.84); and

Whereas, During the course of construction of the Project, it has become necessary to change or alter the original specifications of the project; and

Whereas, Garcia Consulting, a licensed engineer performing construction engineering services on this project, at the request of the Town, through the Public Works Director, has specifically identified and presented a description of such changes as one (1) proposed first addendum to the original construction contract with Walsh & Kelly, Incorporated, particularly in support of costs associated with several bid items, which has a net effect of decreasing the contract cost; and

Whereas, The Town of Highland, through its Town Council which is also the Board of Works, now desires to accept and issue the order for change as described.

Now Therefore Be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That Change Order No. 1 for the Woodward Avenue Reconstruction Project, as prepared by Garcia Consulting, a licensed professional engineer performing construction engineering services on the Project, is hereby approved and authorized in each and every respect;

Section 2. That this first addendum is hereby ordered to be known as Change Order No. 1, issued to increase the net cost to the original agreement between the Town of Highland and Walsh & Kelly, Incorporated in the amount of One Thousand, Six Hundred Thirty-six and 56/100 Cents (\$1,636.56), bringing the total value of the entire agreement with any and all change orders approved to date to Six Hundred Seventy-one Thousand, Three Hundred Sixteen Dollars and 40/100 Cents (\$671,316.40);

Section 3. That as any additional units of materials included in the original contract become needed, the costs of these units in this change order be the same as those shown in the original contract, all pursuant to IC 36-1-12-18(f);

Section 4. That the total of all change orders issued that increase the scope of this project may not exceed twenty percent (20%) of the amount of the original contract, that original contract Six Hundred Sixty-nine Thousand Six Hundred Seventy-nine Dollars and 84/100 Cents (\$669,679.84) which may not exceed Eight Hundred Three Thousand Six Hundred Fifteen Dollars and 81/100 Cents (\$803,615.81), all pursuant to IC 36-1-12-18(d);

Section 5. That the proper officers hereby be and are authorized to execute the necessary documents with their signatures.

Be it So Ordered

Duly Passed and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 16th day of January, 2012 having passed by a vote of 4 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

10. **Enactment No. 2012-08:** An Enactment to Approve Overtime Payments for Exempt Salaried Personnel as set forth in Section 3 of the Wage and Salary Ordinance, Waiving Section 2.01 of the Compensation and Benefits Ordinance, and Suspending Section 10 (e) (3) and (4) of Salary Ordinance in order to authorize a Particular Pay rate. *(Permits Commander R. Potesta to be paid at rate of \$44.25 per hour for patrol time.)*

Councilor Herak introduced and moved for the consideration at the same meeting of introduction of Enactment No. 2012-08. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The Enactment could be considered at the same meeting of its introduction.

Councilor Herak moved for the passage and adoption at the same meeting of introduction of Enactment No. 2012-08. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The Enactment was adopted at the same meeting of its introduction.

Town of Highland
ENACTMENT No. 2012-08

An Enactment to Approve Overtime Payments for Exempt Salaried Personnel as set forth in Section 3 of the Wage and Salary Ordinance, Waiving Section 2.01 of the Compensation and Benefits Ordinance, and Suspending Section 10 (e) (3) and (4) of Salary Ordinance in order to authorize a Particular Pay rate.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, One Exempt Salaried Officer was authorized and directed to work a special detail, providing patrol by police car, unrelated to a special event, but rather undertaken as a particular law enforcement initiative;

WHEREAS, The current wage and salary ordinance provides for no particular rate for overtime worked for this, except as may be experienced under the terms of Section § 4.03.02 of the Compensation and Benefits Ordinance, which reads: *"Patrol Division Police Officers work on a twenty-four day work cycle beginning with the first day of the cycle on a 4 days on and 2 days off schedule with an 8.5 hour work day, 39.88 hour work week. Pursuant to the Fair Labor Standards Act (FLSA), the maximum number of hours to be worked prior to time and one-half compensation for overtime is 147 hours for the twenty-four day work cycle;*

WHEREAS, Absent action by the Town Council, the current language governing such pay for such an assigned detail, when worked by exempt salaried persons, is silent, and there is no guidance about what schedule or work cycle exempt salaried employees are subject to, since overtime pay is not regularly payable to exempt salaried employees; and,

WHEREAS, The Metropolitan Police Chief has recommended that the Town Council authorize for payments to be made to the particular exempt salaried personnel, to be based upon actual hours worked on the detail at a rate of 1.5 times the exempt salaried officer's base pay plus longevity; and,

WHEREAS, The Town Council now desires to act to permit the pay as recommended,

NOW, THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That the provisions of Section 10 (e) (3) of the Wage and Salary Ordinance as amended, particularly reading *"Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignment will be paid at 1.5 times the composite rate (base rate plus longevity rate) of the assigned officer for hours performing the special assignment, provided such rate is lawful and authorized under the terms of the supporting grant"*, shall be temporarily suspended and modified to permit an exempt salaried worker to *be paid at an overtime rate at 1.5 times the assigned officer's composite (Commander) rate for work NOT supported by a grant and for which a non-exempt officer would usually be assigned;*

Section 2. That the provisions of Section 10 (e) (4) of the Wage and Salary Ordinance as amended, particularly reading, *"No rate of pay may be fixed for any regular duty or special detail or described employment, regardless of the source of funds, that has not been authorized or provided for in this Wage and Salary Ordinance as amended in effect or the Compensation and Benefits Ordinance as amended and in effect,"* shall be temporarily suspended and waived for the purpose of permitting **R. Potesta, CID Commander**, to be paid at the hourly rate of **\$44.25** for the eight (8) hours worked in uniform patrol duty in the **month of December 2011**, which is 1.5 times the calculated hourly rate plus longevity for the bi-weekly salary associated with the position of *Division Commander*, a senior administrative position;

Section 3. That under the terms of Section § 04.03.01 of the Compensation and Benefits Ordinance, which provides that *"exempt salaried employees will not receive overtime pay or compensatory time off, unless specifically authorized by the Town Council..."* and Section § 2.01 which identifies the position of Commander in the Police Department as an Exempt position under the terms of the FLSA, *thereby not eligible for overtime payments*, the adoption of this enactment shall be approval of overtime pay for the exempt salaried employee herein identified;

Section 4. That the forgoing action is limited to the instance herein described and the provisions of Section 10 of the Wage and Salary Ordinance and Sections § 2.01 and § 4 of the Compensation and Benefits Ordinance otherwise remain in full force and effect, nor shall this approval and waiver be seen as predictive of any further authorizations or approval of such pay;

Section 5. That the Clerk-Treasurer shall have authority to implement within a reasonable time these provisions regarding wage changes occurring between the effective dates set forth retroactively in this ordinance, if any, and the date of its passage and adoption.

Introduced and Filed on the 16th day of January 2012. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 16th day of January 2012, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

11. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1375 the Wage and Salary Ordinance, as amended and Section §4.03.01 of

the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.

11.1 The Metropolitan Police Chief requests favorable action for R. Potesta, who is an exempt salaried employee and Investigations Division Commander, in the amount of \$200 for work associated with Highland Grove Mall Special Security.

Councilor Herak moved to approve the overtime for the R. Potesta as presented. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The overtime pay as identified was approved.

11.2 The Metropolitan Police Chief requests favorable action for P. Vassar, who is an exempt salaried employee, Assistant Police Chief and Patrol Division Commander, in the amount of \$100 for work associated with Highland Grove Mall Special Security.

Councilor Herak moved to approve the overtime for the P. Vassar as presented. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmative, no negatives, and an abstention by Councilor Vassar. The motion passed. The overtime pay as identified was approved.

12. Action to approve compensatory time off for Exempt Salaried Personnel, pursuant to Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of §2.01 of the Compensation and Benefits Ordinance.

Peter T. Hojnicki	26.5 Hours
Patrick L. Vassar	37 Hours
George Georgeff	19.5 Hours
Ralph Potesta	11.5 Hours

Councilor Herak moved to approve the compensatory time off for Exempt Salaried Personnel as presented. Councilor Kuiper seconded. Upon a roll call vote, there were three affirmative, no negatives, and an abstention by Councilor Vassar. The motion passed. The compensatory time off for Exempt Salaried Personnel as identified was approved.

New Business:

Councilor Herak made a motion to add action on the supplemental insurance and Section 125 carrier to the agenda. Councilor Kuiper seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmatives and no negatives. The motion passed. The item was added to the agenda.

Councilor Herak made a motion to designate All-State Insurance as the provider of the supplemental insurance and Section 125 plan available to employees, contingent upon the implementation of the plan by the February 1, 2012 deadline and other related plan questions that have been posed by the Clerk-Treasurer. Councilor Kuiper seconded the motion. Upon a roll call vote, there were four affirmatives and no negatives.

Comments from the Town Council Members (For the Good of the Order)

- **Councilor Mark Herak:** • Budget and Finance Chair • Liaison to the Board of Waterworks Directors • Liaison to the Board of Sanitary Commissioners.

Councilor Herak invited the Public Works Director to comment on current matters related to the waterworks and sanitary district. Mr. Bach provided an update on water and sewer board matters, including an upcoming rate study.

- **Councilor Dan Vassar:** • Plan Commission Member.

Councilor Vassar spoke favorably of his recent tour of the new section of Lincoln Center and encouraged people to take a tour.

Councilor Vassar recognized the Building Commissioner who offered a brief survey of matters that may be considered by the Plan Commission.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Kuiper recognized the Police Chief, who offered no report.

Councilor Kuiper recognized the Fire Chief who provided an update on Opticom completion. It was also noted that Prompt Ambulance has converted a portion of their fleet to Opticom.

- **Council President Bernie Zemen:**

The Council President recognized the Redevelopment Director who provided an update on the recent Economic Development Commission meeting and discussed a possible abatement from a new Volkswagen dealership locating in Highland. An inquiry was made as to their possible interest in acquiring the car wash adjacent to that property.

The Council President named the Town Council liaisons for 2012:

Councilor Herak will be the liaison for the Waterworks Board of Directors, the Board of Sanitary Commissioners, and the Community Events Council. Councilor Herak will also serve as the Budget and Finance Chair.

Councilor Novak will serve as liaison to the Board of Building & Zoning Appeals and the Traffic Safety Committee (*It is noted that there is no liaison to the Traffic Safety Commission. The Town Council representative is a legislative appointment. This will be taken up by the Town Council at its meeting of January 30, 2012*)

Councilor Kuiper will serve as the liaison to the Police Department, Fire Department, and the Chamber of Commerce.

Councilor Vassar will serve as the liaison to the Redevelopment Commission and the Park and Recreation Board.

Payment of Accounts Payable Vouchers. There being no comments from the public or visitors, Councilor Kuiper moved to allow the vendor accounts payable vouchers as filed on the pending accounts payable docket, covering the period December 28, 2011 through January 16, 2012, as well as the Payroll Dockets for pay dates December 2, 2012 and December 16, 2012. Councilor Vassar seconded. Upon a vote *viva voce*, the motion passed. The accounts payable vouchers for vendors and payroll dockets were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$3,398,364.69; **Motor Vehicle Highway and Street (MVH) Fund**, \$76,948.28; **Local Road and Street (LRS) Fund**, \$2,368.96; **VIPS/Park Public Safety**, \$235.87; **Federal Seized Asset Forfeiture Fund**, \$395.00; **Law Enforcement Cont. Education and Supply Fund**, \$4,357.46; **Corporation Non Exempt Bond & Interest Fund**, \$78,000.00; **Flexible Spending Account (FSA)**, \$2,181.89; **Insurance Internal Service Fund**, \$129,505.84; **Gasoline & Oil Internal Service Fund**, \$6,205.94; **Information and Communications Technology Fund**, \$10,588.19; **Solid Waste Fund**, \$8,056.47; **Donation Fund**, \$415.63; **Special Events Non Reverting Fund**, \$367.94; **Police Pension Fund (1925 Plan)**: \$58,071.96; **Municipal Cumulative Capital Development Fund**, \$21,409.00; **Traffic Violations Fund**, \$4,236.50; **Safe Neighborhood Grant Fund**, \$10,754.66; **Municipal Cumulative Street Fund**, \$2,145.00; **Sexual Predator Grant Fund**, \$2,880.00; **Gaming**

Revenue Sharing Fund, \$6,284.32; Corporation Capital Fund, \$58,870.90; Special Public Safety Fund, \$9,487.11; Payroll Fund, \$3.29; Total: \$3,893,669.90.

Payroll Accounts Payable Docket for December 2, 2011.

Office of Boards and Commissions, \$0.00; Office of the Clerk-Treasurer, \$12,315.22; Building and Inspection Department, \$5,941.12; Metropolitan Police Department, \$92,281.65; Fire Department, \$2,746.88; Public Works (Agency) Department, \$53,790.11; 1925 Police Pension Trust Fund, \$0.00.
Grand Total: \$167,074.98.

Payroll Accounts Payable Docket for December 16, 2011.

Office of Boards and Commissions, \$0.00; Office of the Clerk-Treasurer, \$12,157.79; Building and Inspection Department, \$7,080.56; Metropolitan Police Department, \$120,210.21; Fire Department, \$2,989.99; Public Works (Agency) Department, \$54,721.62; 1925 Police Pension Trust Fund, \$0.00.
Grand Total: \$197,160.17.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Vassar seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, January 16, 2012 was adjourned at 7:29 O'clock p.m. A study session followed the meeting.

Study Session. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session following the regular (rescheduled) meeting on Monday, January 16, 2012 at 7:40 p.m. in the ground floor conference room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Bernie Zemen, Dan Vassar, and Konnie Kuiper were present. Councilor Brian Novak was absent. The Deputy Clerk-Treasurer, Katy Dowling was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Public Works Director reviewed his memorandum to the Town Council with regard to the selection process undertaken by the hiring committee tasked with finding a suitable candidate to fill the position of Assistance Public Works Director, including reviewing applications and resumes, interviewing potential candidates, ranking the candidates, and the difficulties faced by him and the committee during the process.

The Public Works Director and Councilor Herak had an intense discussion with regard to the content of his memorandum.

A discussion ensued as to the make-up of the hiring committee, the merits of the candidates, and the difficulties faced by the Public Works Director and the hiring committee during this process.

2. Councilor Herak inquired with Ed Dabrowski, Contract IT Coordinator with regard to complaints from members of the Parks and Recreation Department with regard to unresolved IT problems. A vigorous discussion ensued between Councilor Herak and Mr. Dabrowski as to the merit of the complaints, documentation of such IT problems, and notice and response times as provided in Mr. Dabrowski's current contract.

There being no further matters for discussion, the study session immediately following the plenary business meeting of Monday, January 16, 2012, ended at 8:50 o'clock p.m.

Kathleen A. Dowling, IAMC
Deputy Clerk-Treasurer